

1 AN ACT in relation to State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Children and Family Services Act is amended
5 by adding Section 5.35 as follows:

6 (20 ILCS 505/5.35 new)

7 Sec. 5.35. Residential services; rates.

8 (a) In this Section, "residential services" means child
9 care institution care, group home care, independent living
10 services, and transitional living services that are licensed
11 and purchased by the Department on behalf of children under the
12 age of 22 years who are served by the Department and who need
13 24-hour residential care due to emotional and behavior problems
14 or severe mental illness and that are services for which the
15 Department has rate-setting authority.

16 For the purposes of this Section, "residential services"
17 does not include (i) residential alcohol and other drug abuse
18 treatment services or (ii) programs serving children primarily
19 referred because of a developmental disability or mental health
20 needs.

21 (b) The Department shall work with representatives of
22 residential services providers with which the Department
23 contracts for residential services and with representatives of

1 other State agencies that purchase comparable residential
2 services from agencies for which the Department has
3 rate-setting authority to develop a performance-based model
4 for these residential services. Other State agencies shall
5 include, but not be limited to, the Department of Human
6 Services, the Department of Juvenile Justice, and the Illinois
7 State Board of Education. The rate paid by the other State
8 agencies for comparable residential services shall not be less
9 than the performance-based rates set by the Department.

10 (c) The performance-based model to be developed shall
11 include required program components and a rate-setting
12 methodology that incorporates the reasonable costs of the
13 required program components, subject to the provisions and
14 limitations prescribed in 89 Illinois Administrative Code,
15 Chapter III, Subchapter c, Part 356, Rate-setting.

16 Section 99. Effective date. This Act takes effect July 1,
17 2009.